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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,705	01/26/2001	Christopher S. Gouge	MS155721.2	6801
27195	7590	12/18/2003	EXAMINER	
AMIN & TUROCY, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114			INGBERG, TODD D	
		ART UNIT	PAPER NUMBER	
		2124		

DATE MAILED: 12/18/2003

A

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/770,705	GOUGE ET AL.	
	Examiner Todd Ingberg	Art Unit 2124	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 31 July 2002.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-24 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2,3</u> . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claims 1 – 24 have been examined.

Information Disclosure Statement

1. The Information Disclosure Statements (IDS) of July 30, 2001 and July 31, 2002 have been considered.

Priority

2. Applicant's claim for domestic priority under 35 U.S.C. 119(e) is acknowledged. The effective filing date is July 7, 2000.

Drawings

3. The drawings received on January 26, 2001. These drawings are accepted by the Examiner.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 – 24 are rejected under 35 U.S.C. 102(b) based upon a public use or sale of the invention. Template Software Corporation's product SNAP 8.0 released in 1997.
5. Template Software. The Template product line contains the SNAP programming language and the Workflow Template (WFT). The documentation sets for the products contain the following manuals.

SNAP released June 1997

SNAP Language Reference (Not used in this Office Action)

Using the SNAP Language (Not used in this Office Action)

Using the SNAP Communication Component (Not used in this Office Action)

Using the SNAP Graphic User Interface Component (Not used in this Office Action)

Getting Started with SNAP (Not used in this Office Action)

Using the SNAP Display Editors (Not used in this Office Action)

SNAP Class Library Reference (Not used in this Office Action)

Using the SNAP External Application Software Component (Not used in this Office Action)

Using the SNAP Development Environment (Referred to as **SNAP**)

SNAP Module Library Reference (Not used in this Office Action)

Using the SNAP Permanent Storage Component(Not used in this Office Action)

Workflow released September 1997

Developing a WFT Workflow System (Not used in this Office Action)

Using the WFT Development Environment (Not used in this section of the Office Action)

WFT Library Reference (Not used in this Office Action)

Since, these products work together they constitute a single reference and can be used as the basis for a rejection based on anticipated by a product offering.

Claim 1

SNAP 8.0 anticipates a configurable module (**SNAP**, Class editor, chapter 3) comprising:

- (a) one or more configurable data elements (**SNAP**, page 3-40, attribute tab), wherein one or more default values (**SNAP**, page 3-40, default); for the one or more configurable data elements are available (**SNAP**, page 3-40, list of attributes);
- (b) one or more non-configurable data elements describing the one or more configurable data elements(**SNAP**, page 3-62, const tab - constants); ; and
- (c) one or more transformation instructions that facilitate configuring the one or more configurable data elements (**SNAP**, page 3-44, functions and getters and setters are inherent in Object Oriented programming).

Claim 2

The configurable module of claim 1, wherein the one or more configurable data elements are stored in a data structure associated with the configurable module (**SNAP**, Chapter 3 – class is a structure).

Claim 3

The configurable module of claim 2, wherein the data structure is a metadata item description table (**SNAP**, page 3-37, metadata from the “inherits from” feature).

Claim 4

The configurable module of claim 1, wherein the one or more non-configurable data elements are stored in a data structure associated with the configurable module. As per the rejection of claim 2.

Claim 5

The configurable module of claim 4, wherein the one or more non-configurable data elements are stored in a metadata item description table. As per the rejection of claim 3 meta data and the const of claim 1(b).

Claim 6

The configurable module of claim 1, wherein the one or more transformation instructions are stored in a data structure associated with the configurable module. As per the rejection of claim 2 the class is a structure with the functions in it.

Claim 7

The configurable module of claim 6, wherein the one or more transformation instructions are stored in a transformation instruction table. (SNAP, Function tab of claim 1(c) is an instruction table in the class structure).

Claim 8

The configurable module of claim 2 wherein the data structure includes at least one of a name of a configurable data element, and a semantic meaning for the configurable data element. (SNAP, page 3-40, “Name” of function).

Claim 9

SNAP 8.0 anticipates a data interpretation system, comprising: a data interpretation component adapted to receive one or more configurable data elements from a configurable module: apply one or more transformation instructions from the configurable module to the configurable data elements to configure the configurable data elements, and import the configurable data elements into a target data set. (SNAP, As per claim 1 above and emphasis on page 3-51 Rules tab and page 3-55 Demons Tab).

Claim 10

The system of claim 9, further comprising a user interface to enable a user to query the configurable module to determine which of the one or more data elements are configurable.
(SNAP, Chapter 3 the class editor visibly has a GUI)

Claim 11

The system of claim 9 further comprising: a merging component adapted to receive one or more updated configurable data elements from the data interpretation component and adapted to provide the one or more updated configurable data elements to a target data set. (SNAP, rules as per claim 9 – target data set is the object created by the class structure as defined in the class editor).

Claim 12

The system of claim 9 further comprising: an authoring schema that describes a configurable module. As per claim 1 SNAP – class editor of chapter 3.

Claim 13

SNAP 8.0 anticipates a method for importing a configurable data set into a target data set, comprising obtaining one or more data elements from a configurable module; obtaining one or more transformation instructions from the configurable module and applying the one or more transformation instructions to a copy of the one or more data elements from the configurable module to configure the one or more data elements. As per the rejection for claim 1.

Claim 14

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The method of claim 13, further comprising: identifying a target data set; and inserting the updated data elements into the target data set. (SNAP, As mentioned above the target data set is the object created from the class structure above, as per claim 1).

Claim 15

The method of claim 13 further comprising: presenting one or more configuration options to a user; accepting one or more configuration selections from the user; and selectively configuring the one or more data elements based on the user's configuration selections. As per the rejection for claim 1 and COA page 2-36 to 2-37.

Claim 16

A computer readable medium containing computer executable instructions operable to perform the method of claim 13. (SNAP, functions as per rejection for 1c, Rules as per the rejection of claim 9, demons as per claim 9).

Claim 17

SNAP 8.0 anticipates a method for creating a configurable data module, comprising: creating a configurable data set having one or more configurable data elements; and creating one or more data structures containing information associated with one or more configurable data elements. As per the rejection of claim 1.

Claim 18

The method of claim 17 wherein creating a configurable data set includes: identifying one or more attributes of the one or more data elements; and establishing one or more default values for the attributes of the one or more data elements. As per the rejection of claim 1.

Claim 19

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The method of claim 17 wherein creating the one or more data structures further comprises: identifying one or more locations within a data set that are configurable; identifying one or more configuration options; creating one or more instructions concerning how to configure the one or more locations; and storing the instructions in the one or more data structures. As per the rejection of claims 1 and 2.

Claim 20

The method of claim 19, wherein the one or more data structures are stored in the configurable data module. As per the rejection of claims 1 and 2.

Claim 21

A computer readable medium containing computer executable instructions operable to perform the method of claim 17.

Claim 22

SNAP 8.0 anticipates a system for importing a configurable data set into a target data set, comprising: a configurable module having configurable data elements representing a configurable data set and non- configurable data elements representing a portion of the configurable data set; a user interface for selecting which configurable data element to modify; and a data interpretation system for receiving the configurable and non-configurable data elements from the configurable module and applying the transformation instructions applicable to the user selections associated with the configurable data elements to enable importing of the configurable data set to the target data set. As per the rejection of claims 1 and 2.

Claim 24

SNAP 8.0 anticipates a computer readable medium having stored thereon a data structure, comprising: a first data field containing one or more configurable data elements, wherein one or more default values for the one or more configurable data elements are available; a second data field containing one or more non-configurable data elements describing the one or more configurable data elements; and a third data field containing one or more transformation instructions that facilitate configuring the one or more configurable data elements. As per the rejection of claims 1 and 2.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claim 23 is rejected under 35 U.S.C. 102(b) based upon a public use or sale of the invention. Template Software. The Template product line contains the SNAP programming language and the Workflow Template (WFT). The documentation sets for the products contain the following manuals.

SNAP released June 1997

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Workflow released September 1997

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Using the WFT Development Environment (Referred to as **WFT**)

WFT Library Reference (Not used in this Office Action)

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Claim 23

Template's product line of layer products with **SNAP 8.0** and **WFT** anticipates A data packet adapted to be transmitted between at least two computer processes, comprising: a configurable module having: one or more configurable data elements, wherein one or more default values for the one or more configurable data elements are available; one or more non-configurable data elements describing the one or more configurable data elements; and one or more transformation instructions that facilitate configuring the one or more configurable data elements. As per the rejection of claims 1 and 2. SNAP is a programming language which the Workflow Template (WFT) needs. WFT teaches a distributed object (A data packet adapted to be transmitted between at least two computer processes), as per WFT, page 2-2

Conclusion

7. Applicant has submitted claims to patent the basics of programming. Establishing variables with defaults and constants. The current claims read on the normal use of a high level programming language such as ANSI C, ANSI C++ or COBOL.

Correspondence Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Todd Ingberg** whose telephone number is (703) 305-9775. The examiner can normally be reached during the following hours:

Monday	Tuesday	Wednesday	Thursday	Friday
6:15 – 1:30	6:15- 3:45	6:15 – 4:45	6:15-3:45	6:15-130

This schedule began December 1, 2003 and is subject to change.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Kakali Chaki** can be reached on (703) 305-9662. Please, note that as of August 4, 2003 the **FAX number** changed for the organization where this application or proceeding is assigned is **(703) 872-9306**.

Also, be advised the United States Patent Office **new address** is

Post Office Box 1450

Alexandria, Virginia 22313-1450

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9700.



Todd Ingberg
Primary Examiner
Art Unit 2124
December 14, 2003